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ABSTRACT

This paper presents results of a survey of Massachusetts parents of children with disabilities concerning implementation of the child's Individualized Education Plan (IEP). Survey respondents (N=400) addressed the following issues: quality of educational and related services; access to the general curriculum in the least restrictive environment; preparation of older students for transition; parent involvement; administrative barriers to the provision of appropriate services; and provision of services to eligible children at age 3. Major concerns identified by respondents included the following: non-compliance with IEPs, team meeting decision-making, least restrictive environment and inclusion, access to the general education curriculum, services to families who speak languages other than English in the home, continuity of educational services to children in state custody, and secondary level transition plans and services. The paper summarizes answers to questions and lists sample responses. A detailed breakdown of responses to each question is attached. (DB)

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ED 427 450

FEDERATION FOR CHILDREN WITH SPECIAL NEEDS
EXECUTIVE SUMMARY
STATEWIDE SURVEY OF PARENTS ON THE IMPLEMENTATION OF INDIVIDUALIZED EDUCATION PLANS

Introduction

Do students with disabilities receive special education and related services that promote a high quality education?

Do students with disabilities have access to the general curriculum in the least restrictive environment?

Are students age 14 and older, being prepared to transition successfully?

Are parents involved in the education of their child with a disability?

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Introduction

The Federation for Children with Special Needs presented parents throughout Massachusetts with the opportunity to speak out regarding the special education services received by their children. During September and October of 1998, the Federation distributed a multilingual survey to families across the state.

The survey was distributed through the Federation NewsLine, local Parent Advisory Councils (PACs) and advocacy agencies. The Federation utilized this non-random, judgment sampling procedure because a random sample could not be obtained due to confidentiality issues. The sample may be skewed towards a population of parents that is active and involved in their child's education, as well as somewhat knowledgeable regarding special education services in the Commonwealth.

There are approximately 159,042 children on Individualized Education Plans (IEPs) in the state of Massachusetts. The Federation received over 400 individual responses representing at least 82 of the 355 Local Educational Agencies (LEAs or school districts). The percentages of urban and suburban responses appeared to be representative of the demographic make-up of the state, however, a disproportionate number of urban responses were received from the city of Worcester (Addendum 1). Statistical procedures demonstrate that the data gathered

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are representative of this population at a 95% confidence level.

A number of major themes of concern ran throughout the surveys (complete survey results addendum 2) regardless of geography and student severity of need. They include concerns regarding: non-compliance with IEPs, Team meeting decision-making, least restrictive environment (LRE) and inclusion, access to the general education curriculum, services to families who speak languages other than English in the home, continuity of educational services to children in state custody, and secondary level education transition plans and transition services. In addition there was concern and confusion regarding access to and the effectiveness of the Complaint Resolution System at the Massachusetts Department of Education (DOE). These trends are documented in the numerical results of the survey and reinforced through a variety of parent comments.

In order to present a clear picture of the educational system in Massachusetts the Federation has completed a comprehensive review of data from a variety of sources and presented the results here in narrative form. These responses were derived from the data gathered in the aforementioned survey and a review of the previous 14 months of phone consultations with residents of 276 communities made by the Parent Training and Information project (PTI) located at the Federation and Massachusetts Comprehensive Assessment System (MCAS) results for students with disabilities.

In an effort to present this information efficiently and effectively the Federation has adopted the questions and format presented by the United States Department of Education, Office of Special Education Programs (OSEP) as the pivotal points of discussion for the monitoring visit. The following narrative utilizes this structure.

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OSEP QUESTION # 1

Do students with disabilities receive special education and related services that promote a high quality education?

No, according to the survey only 58% of parents of children in Massachusetts with IEPs report that their child is receiving all the services deemed necessary by their Team. A score of 58% on any criterion based test is a failing mark.

Individualized Education Plans: Compliance & Related Services

The survey revealed repeated comments by parents that upon speaking with a classroom teacher they discovered that the teacher was unaware the child had an IEP. There was concern regarding intentional refusal to follow IEPs by school personnel. One parent wrote "Basically everything put in his IEP is in his folder and available to the regulators, the problem is the IEP is not followed through."

According to survey results, related services is an area of widespread non-compliance. Parents report schools are often unable to hire and retain personnel that meet the state certification requirements in occupational therapy (OT), and physical therapy (PT). Across the state parents are concerned that school systems simply say they cannot find qualified speech therapists. As a result parents feel forced to choose between services by unqualified persons or no services at all. In some cases schools have treated agreed upon services as discretionary. A parent

from the South Shore was told by the school OT that "sensory integration is a fad" and then refused to provide services as documented in the IEP. The parent of a visually impaired child expressed her outrage that her son received no Braille instruction or materials despite the 1996 Braille Bill. Additionally, assistive technology is a problem not only in obtaining because of it's expense, but also in it's use. One exasperated parent wrote " My son is supposed to use a keyboard- no printer is available to him. He receives detention when he fails to complete work due to his disabilities."

OSEP Question #1 Parent Survey Sample Responses

Has your child received all of the services listed on his/her IEP? If not please tell us which services your child did not receive and for how long.

- My child is "supposed to use a keyboard, was never allowed, if he misspelled a word the whole answer is marked wrong.
- "He has the lap top to be included, but I struggle to get them to use it."
- "In the past my child's ed. plan has not been read or lost. A teacher has told me she was unaware of the ed. plan, and therefore did not read it"
- "My child had a teacher last year who refused to follow his IEP; extra time, oral work, help with exams, etc."
- "Basically everything put on his IEP is in his folder and available to the state regulators, the problem is the IEP is not followed through."
- Services are provided "when staff is on board to provide services, there are delays due to turn over in staff and the need to hire new staff."
- "many goals revolve around sensory integration principles and the OT working with us since 6/98 is not SI certified- also certain therapy sessions are supposed to be individual and are actually provided in group settings due to schedule/staffing issues.
- "speech, was told repeatedly 'speech people' are difficult to find, state requirements are too rigorous"
- "Even though I've said yes to a lot of things, the program my son is in stinks. I feel as though I'm sending him to a baby sitter. The OT and PT department at (his school) are very poor. I do not stand alone on this either, there are other parents that feel the same way I do, but nothing gets done and no one gets disciplined or supervised. It's just awful."
- "Child does not receive Braille instruction or materials " This is despite the 1996 Braille Bill. My 9-th grade (visually impaired) son has not received any services since the start of the school year (November). Mediation was a failure and I am forced to go to hearing to resolve the issues.
- "Amount of time on service delivery grid was changed from what we agreed on at our Team by speech therapist, who did not attend our meeting. We picked up on this error and requested a correction in writing several times, but it was ignored by the school district.
- Non-team members changed IEP- "Originally (my daughter) was supposed to be seen, when the school asked for my Medicaid card & I told them I had insurance the (Ed) plan was changed to observation. It took numerous calls to get the plan changed back."

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OSEP QUESTION # 2

Do students with disabilities have access to the general curriculum in the least restrictive environment?

No, only 51% of parents reported that the Team considered the full range of support services and accommodations necessary to allow their child to participate in regular education classes and non-academic activities with children that do not have special needs.

Least Restrictive Environment, Inclusion, and Access to the General Curriculum

For many families education in the least restrictive environment is of great concern. Educating children with special needs in the regular education setting with supports is more increasingly emerging as an alternative to resource rooms and substantially separate programs. In some communities parents report that they are fighting for their child's rights to inclusion with appropriate supports. One parent stated that she was informed by the resource room teacher that she was "not an integration specialist" and therefore "the kids were on their own". Schools struggle with having "these kids" in the regular education classrooms. In other communities parents feel that the system is dumping all children on IEPs into regular education settings without the proper support services.

Parents are experiencing a great deal of confusion regarding the requirement of access to the general education curriculum. Many parents do not know what the curriculum for regular education looks like. Parents often reported that their child had access to gym, art or lunch in the regular education system, but no access to the general curriculum in academic subjects. When parents were asked if their child "has a chance to learn the academic and non-academic subjects taught in regular education", a parent whose child received only art or gym could answer this question affirmatively. Even utilizing these broad definitions the survey showed that as many as one in five students has no access to their peers in regular education.

As noted, only 51% of parents felt that the Team even considered the full range of support services and accommodations to facilitate inclusion. The services and accommodations which were most frequently reported as "should have been considered" to facilitate inclusion were: classroom aid, in-service teacher training, social skills support, specialist consulting with regular education teacher, modified curriculum, special education/regular education team teaching, and assistive technology. The issue is not only the cost of the services but the manner in which special education services are being provided and administered in many districts.

Statewide MCAS performance level results for students with disabilities demonstrate a participation rate of 92% (Addendum 4). Of those, nearly all performed as failing or needs improvement. For example:

1998 MCAS Results for Students with Disabilities Who Are "Failing or Needs Improvement "

TEST	GRADE 4	GRADE 8	GRADE 10
English/ Language Arts	97%	85%	91%
Mathematics	88%	93%	93%
Science & Technology	77%	93%	92%

While further analysis of these scores is necessary, failure rate of these proportions demand a comprehensive review of the course-work being offered to students with disabilities and a thorough evaluation of the implementation of the requirements under the Individuals with Disabilities Education Act of 1997 (IDEA97) of access to the general education curriculum.

OSEP Question # 2 Parent Survey Sample Responses

Does Your Child have a chance to learn the academic and non-academic subjects taught in regular education (the general curriculum)?

Did the Team consider the full range of support services and accommodations your child may need to participate in regular education classes and non-academic activities with children who do not have special needs?

- "My daughter is in a resource room, taught by a teacher that has no special education training, the other children in the room are younger and my daughter is being presented grade 3 & 4 level topics, although she is on 6. I requested Wilson reading because it seemed to bring her the only success she has had with reading, that was refused. Only when the principal intervened did my daughter get Wilson reading. The Wilson Reading teacher clearly disagrees with my daughter having this help, as a result, not much progress is happening. I don't really understand the Ed plan or know what it says. I trust the principal to see that my daughter gets what she needs."
- "Instrument lessons- The music teacher allows students to take instrument lessons by invitation only. He decides by judging children i.e. shapes of mouths, if he feels they'd be successful.
- "Except for pull out times"
- "Science labs at (local) HS are on the third floor and not ramped."
- "They adapt some science & social studies lesson, but no goals or expectations for 4th grade participation.
- "Finally after 2 years of not taking science, social studies, health and music"
- "My daughter is in a collaborative program, which lost many classrooms in member communities due to growth (in student enrollment) in the North Shore. Because the collaborative no longer had public school classroom space and had to build classrooms in an office park, doesn't that automatically make them inaccessible to the general curriculum? How can children in collaborative be exposed to peers when they are not in public school settings? School district should be required to give classroom space to collaborative., by not doing so, they perpetuate the inequalities in the system. I am the parent of a disabled child and a regular ed. child. The disparities I see are blinding. I feel welcomed in my local school for my regular ed. child, but I feel homeless with my disabled child who can not presently attend local school. I get no inf. on school related issues for her – she is not in the community. This is unfair,

especially to the child. How do they develop a sense of community?

- Teachers "Did not really know how to adapt curriculum in a way to keep my child in class and interested"
- "Not enough modification"
- "When the school wants pullout (it is non-academic time) and he misses out on all the socialization which he needs."
- "Not an equal chance"
- "Not appropriate mostly"
- "Specials only"
- School "Wants to take him out of inclusion classes. I called school and said NO, it will make him lazy and they wanted to because classes are overcrowded.
- "There was no inclusion offered in any year of my child's IEP, even though I asked for it. School did not have it at his level".
- "Once (school) went to full inclusion my child's IEP was not followed. Specialist services was inconsistent"

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OSEP QUESTION # 3

Are students age 14 and older, being prepared to transition successfully to work, independent living, or additional education (e.g. college, trade school) services that facilitate successful transition from school to work or from school to post-secondary education?

No, the answer to this question was overwhelmingly negative, 71% of respondents with children over 14, did not receive or did not know if they received a statement of transition services in their child's IEP.

Secondary Education & Transition

In response to a question regarding transition services 71% of respondents with children over 14, replied they did not receive or did not know if they received a statement of transition services in their child's IEP. Those who did receive the services voiced concern regarding the appropriateness of the service because more basic skills needed to be included in the plan. Only 18% of respondents reported having the appropriate human service agency attend the transition meeting.

Parents of students in secondary education were consistently concerned with their child's ability to receive services given the schedules of both children and specialists. These parents voiced concerns about children being removed from for-credit electives to receive non-credit support services and their subsequent inability to graduate as scheduled.

OSEP Question #3 Parent Survey Sample Responses

If your child is 14 or older, does the IEP include a statement of needed transition services?

Did the appropriate adult human services agency or agencies attend the

meeting?

- "I feel there could be better communication between LD teacher, myself and teacher."
- "My son receives services from an LD teacher. Unfortunately, services received in high school are not adequate or as often as they should be. My son's schedule and the limited days the LD teacher is at the school. I do not feel he receives the proper services with regard to hours. I believe that this issue needs to be addressed. The amount of time a student is served and the availability of the LD teacher is not being met on the secondary level."
- Transition services "Not discussed, (denial) just appeared in IEP, (I was) told if child is going to college he doesn't need them.
- "Transition services are received, but not well thought out. Before my son needs to learn to fill out a job application he needs appropriate social skills training."
- My "17 year old has no transition plan established"
- One parent reported being concerned that the family need to start planning for the graduation of their 19 year old son. The parent was seeking information from the PTI on vocational options for students with autism, the school offered no support, options or transition services to the parent.
- A child who reportedly suffered from clinical depression, had been the subject of a Child in Need of Services (CHINS) petition filed by the school and received SPED tutoring services was not provided a transition plan by the school. His parents were seeking support from the Federation to bridge the gap to adult services.
- Another parent of an 18 year old called the Federation distraught because an IEP was implemented without a signature and no vocational/technical assessment had been completed.
- "No (foreign) language can be taken due to lack of an available period during the day, electives were not taken as no available time since service time happens during study halls. Very difficult to get credits required for promotion and next grade level and also obtain necessary SPED services."

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OSEP QUESTION # 4

Are parents involved in the education of their child with a disability?

No, unfortunately almost 40% of parents state that they have no real input into the IEP process and no clear definition of the services their child will receive.

Team Meetings: Decision Making

Documented in the survey were consistent concerns that what was presented at the Team meeting was not included in the child's IEP. Twenty-three (23%) percent of parents were precluded from decisions at the Team because approval for services was required from school personnel outside the meeting. Despite the federal and state requirements that decisions are to be made by the Team at the Team meeting. An additional 16% of the respondents had IEP's changed by school personnel not attending the Team meeting. Consequently, at least 38% of parents are leaving IEP

Team meetings without real input into the final decisions or a clear definition of the services their child will receive.

These figures do not include the 18% of parents who answered "don't know" to these questions. Parents report feeling isolated and in the dark regarding the delivery of services to their children. Many children receiving special education services by their nature have a difficult time relating what occurred during the day, what services were received and from whom. As a result parents need to rely on communication with the school for information regarding service delivery. Even involved and aware parents often report feeling out of the communication loop with school personnel when it comes to the planing and delivery of services for their child.

OSEP Question # 4 Parent Survey Sample Responses

Decisions about placement services are supposed to be made by the IEP Team as a whole, not by personnel who did not attend the meeting.

Was your child's IEP changed by school personnel who did not attend the meeting?

Did your child's IEP Team say they could not decide about services or placement because they need approval from other school personnel?

- "I never was asked once to go to a meeting or Team ed. plan for my son, at all, in (local) School. They -whoever- just sent papers home to sign and return."
- "My child's IEP is written entirely outside of Team meeting so that when I receive it, the entire thing- except for placement is a surprise. I have an IEP that was written in one person's handwriting and copied, and my son's name was written in by someone with different hand writing (parent reports rejecting IEP). My child started the school year without an IEP and we still don't have one (November) I was told that this was the placement, no alternatives, the IEP lacked measurable goals and objectives. I was informed by the school that they can't "write an IEP in the meeting because the goals are generated by computer. My son is only in first grade, has been in the system for less than one year, but the blatant disregard for the law is disheartening."
- "What they have done is not have Team meetings for the past two years. Ed plan was decided by the SPED teacher and myself, no one else was present. The team meeting took place without me and they decided what services were necessary and which ones were not. I was not informed of the decisions, only when the Ed plan came (home).
- "They provided the services they felt were important and put into the IEP; however for 2 years their efforts have not worked and I had to go above the SPED department to get some help."
- Initially, the Team had decided to place the child in a diagnostic placement for 8 weeks. After 3 weeks the school department held a Team meeting without the parent and decided to remove the child from the placement. The Team then gave the parent an amended IEP, which she had not approved.
- Another parent was concerned that their child had been moved from a substantially separate classroom without parental consultation. The change was made without the implementation of proper supports for the child to succeed in the new environment.

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OSEP QUESTION # 5

Are there any administrative barriers to providing appropriate services to students with disabilities?

Yes, school systems have unilaterally discontinued services to special education students due to inadequate funding.

Survey results indicated the following areas of concern: 1) Local administrative agencies provide insufficient information to parents about the Department of Education's Complaint Resolution System and Bureau of Special Education Appeals procedures. Furthermore, parents noted that the information that was provided was not provided in their native language if they were non-English speakers. 2) Administrative procedures for foster children are insufficient to ensure continuity of services, thus children wait unserviced or remain "lost" as re-evaluations are conducted or endless red tape is being unraveled.

Funding Concerns

One system has cut special education services across the board due to a perceived lack of funding e.g. South Hadley (See Addendum 5). Parents report that other school systems have eliminated special education services to select groups of children. The mother of a high school senior reported that her daughter, who had been diagnosed with a learning disability received no special education services. When the mother complained to the school she was told that 11th and 12th graders in that town do not receive special education services due to budgetary constraints. Parents of students across the state report that budgetary concerns are not only mentioned at Team meetings but noted by the schools as the reason for refusal of services to children entitled to special education services.

Department of Education: Complaint Resolution System and Bureau of Special Education Appeals

School systems are not providing the technical assistance that parents need to be effective advocates for their children. The survey demonstrates that parents are not familiar with the existing Complaint Resolution System or how to access mediation. IDEA 97 establishes mediation as the primary process to be used in resolving conflicts between schools and the parents of a child with a disability. Only 54% of parents report being informed by their school district that they can file a complaint to DOE if IEP services are not provided.

Twenty-seven percent (27%) of surveyed parents stated that they had filed a complaint with DOE. Only 35% of this sub-sample were informed that DOE had investigated their complaint and had been given a report within 60 days of the complaint, as required by law. Of the responding individuals 28% reported that DOE followed up to make sure the school complied with the needed corrections.

One woman from a western Massachusetts town responded to the survey by phone due to her inability to do so in writing. She spoke of using the mediation process during the spring semester of 1998. The school agreed to purchase a new adaptive

chair for her son, who had out grown his old one. When the mother contacted the school this Fall to remind them she was still waiting for the chair, she was informed that there was no time limitation imposed as to when the chair had to be purchased. The chair remains unpurchased.

English as a Second Language

Almost one quarter (24%) of the respondents replied that the notice of their rights and those of their children in the special education process was not presented to them in their native language. These individuals reported that 42% of the time, no interpreter was provided by the school for the Team meeting. One Spanish speaking mother reported the school did provide a translator but was concerned because the translator was a teacher at the school. The mother felt that the translator was biased and was not translating accurately due to her allegiance with the system.

Continuity of Services to Children in Custody of the State

The state's most vulnerable children, those deemed as abused or neglected by their caretaker and taken into the custody of the state, are reportedly not receiving appropriate services. According to foster parents, this is occurring due to the child's frequent moves and inadequate bookkeeping procedures. Foster parents report that as students move from home to foster-care placement or between placements, documents are frequently lost, including IEPs and in some cases the entire educational record. These foster parents report fighting to cut through endless red tape, as the child goes unserviced, only to find the child's entire history is lost. As one foster parent stated "my foster child can not be found", not physically, but in school department records. The child waited unserviced while officials spent months searching for her records which were never found. The school department did not offer to perform new evaluations in order to determine appropriate services and neither the foster parent nor the foster-care social worker were educated regarding the rights of the child.

OSEP Question # 5 Parent Survey Sample Responses

Did the district inform you that you can file a complaint with the Massachusetts Department of Education if services listed on the IEP are not provided?

If you filed a complaint did the Massachusetts department of Education investigate and give a report of their findings within 60 calendar days after you filed it?

- "I feel that DOE did not fully listen to parents side of complaint issues. When parent files a complaint they usually have already spent 30 or more days, if not 60, trying to work with the school, to have a parent wait another 60 days is ludicrous- when it is documented that they have already done this, by doing this the DOE sides with the school and another year is wasted. The DOE always sides with the school.
- "The Complaint Resolution System closed my complaint with a finding of 'no regulatory non-compliance' based solely on the districts investigative report, which contained erroneous information. But I was told that the case could not be reopened even though after it was closed the school amended it's report, in writing, which effectively substantiated the validity of my initial complaint."

Was the invitation to the IEP meeting, the IEP notice and notice of rights provided in your native language?

Does the school provide an interpreter for the Team meeting?

Are your child's teachers and service providers able to communicate in your child's primary language?

- Atencion! Favor de interpretar. Yo opino que deben hacer algo mejor por nuestros ninos con este programa la cual el programa de educacion especial como lo estan llevando no esta funcionando para nuestros ninos tener un futuro mejor. Muchas veces ninos estan siendo ignorado por su condicion lo cual estan creyendo que no puedan tener o mejor dicho salir adelante en la educacion . Ellos, deben ser respetados y primeros en la educacion. Muchas gracias y esperamos como padres de que esto se pueda tomar encuenta con mucho cuidado.
  Attention, please interpret. I think that they should do something better for our kids with this program. The special education program as it is right now, is not working for our kids to have a better future. Many times these children are being ignored because of their condition and because the school believes that the children can't progress in their education. They should be respected and put first in education. Many thanks, we hope as parents that this (the comment &survey) is taken into consideration.

Unsolicited comments regarding services to children in state custody.

- Foster care "We do not have copies of last years IEP on the new report, which should be forwarded as soon as it is complete. (November)"
- "I need help for my foster child, she came to me in May of 1998 and was in sixth grade in (another school same LEA) until February of 1998. She then went to (another school same LEA). She was in SPED for learning and behavior problems. The IEP she should have had or did have is not available to the school she goes to now. Nobody knows for sure if she should have one. What can I do? The guidance counselors & social worker & her counselor from MSPCC all say they have checked on it and can't find one."
- "He has not begun (November) to receive any services in his IEP during this school year (he transferred from another district) despite repeated calls to the school and special education."

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OSEP QUESTION # 6

Do eligible children receive services on their third birthday?

No, children are not receiving services on their third birthday. The implementation of the policies of the Department of Public Health (DPH) and DOE is variable at the local level.

Despite inter-agency agreements between DOE and DPH that assist children in receiving services on their third birthday, parents report that this is not occurring.

Parent reports raise the question of delinquency in monitoring the implementation of these policies on the local level.

Parent inquiries to the Federation indicate that poor transition from early intervention to preschool services occur for a variety of reasons. In some instances, according to parents the local educational agencies are not arranging to meet with the families when the child is two years six months of age. As a result, services are not in place when the child turns three. Other parents are reporting that it is the Early Intervention program that is not diligent in gathering referral information and permission slips and therefore the transition is not smooth. Parents report that on occasions when this meeting does occur in a timely manner, the IEP is not drafted in time for the parent to review and sign it before the child's third birthday.

Families of children who received early intervention services but are not eligible for continuing services under the preschool guidelines report feeling confused and unaware of what their options are in pursuing services privately.

There are additional concerns by many families that they are not allowed to adequately voice their opinions of what services are appropriate for their child. Although the school may provide a program, often a wide range of service options are not available. According to the parent of one preschooler "the school offers a 'standard package' regardless of the needs of the child. If a child requires therapy outside of the school day, it is a huge fight (and for us litigation) to get it."

OSEP Question # 6 Parent Survey Sample Response

"The main problems with a child going to an integrated preschool are 1) there are no standards for preschool curriculum. 2) The school offers a "standard package" regardless of the needs of the child. If a child requires therapy outside of the school day, it is a huge fight (and for us litigation) to get it. There is an incredible emphasis on school teachers and therapists schedules, rather than on the need of the individual child."

"My child receives services only if he chooses to participate even though he is only four years old. The school feels that he is difficult and won't work around his reluctant attitude."

"For two years my son did not receive OT because the were no OTs available in the district."

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In Summary

Upon being presented with the occasion to speak out many Massachusetts parents expressed grave concerns regarding the special education services received by their children. Anecdotal reports such as the following were far too frequent; "My child's IEP is written entirely outside of Team meeting so that when I receive it the entire thing, except for placement is a surprise. I have an IEP that was written in one person's handwriting and copied, and my son's name was written in by someone with different hand writing (parent rejected IEP). My child started the school year without an IEP and we still don't have one (November). I was told that this was the placement, no alternatives. The IEP lacked measurable goals and objectives. I was informed by the school that they can't write an IEP in the meeting because the goals are generated by computer. My son is only in first grade, has been in the system for less than one year, but the blatant disregard for the law is disheartening."

The Massachusetts Department of Education needs to focus on: increased compliance with IEPs, Team meetings that are meaningful and productive, inclusion supports and strategies, services to students who speak English as a second language, and better knowledge of and delivery of transition services. The Department of Education needs to assure that LEAs are fulfilling their obligation under IDEA 97 to inform parents regarding the avenues through which they can appeal decisions about their child's educational plan and how to receive assistance if a plan is not being carried out.

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ADDENDUM 1

Cities and Towns with the Highest Frequency of Response

Worcester
Springfield
Taunton
Winchester
Chelmsford

*There were additionally a large number of anonymous responses

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ADDENDUM 2
SURVEY RESULTS

1. Has your child received all the services listed on his or her IEP?

Yes 58%
No 27%
Don't Know 13%
Blank-N/A 1%

2. If not, please tell us which services your child did not receive and for how long? (data synthesized and examples provided)

3. Was your child's IEP changed by school personnel who did not attend the meeting?

Yes 16%
No 70%
Don't Know 13%
Blank-N/A 2%

4. Did your child's Team say they could not decide about placement because they needed approval from other school personnel?

Yes 23%
No 68%
Don't Know 6%
Blank-N/A 2%

5. Does your child have a chance to learn the academic and non-academic subjects taught in regular education (the general curriculum)? *Qualitative review of the comments revealed that most students were experiencing "regular education" in gym, art, or lunch but not in academic courses such as English, science or math (see attached Comments Question #5).

Yes 73%
No 18%
Don't Know 7%
Blank-N/A 2%

6. Did the IEP Team consider the full range of support services and accommodations your child may need to participate in regular education classes and non-academic activities with children who do not have special needs?

Yes 51%
No 35%
Don't Know 12%
Blank-N/A 2%

7. If no, which of the following services/accommodations should have been considered to facilitate inclusion?

A. Classroom aid 60%
B. In-service teacher training 55%
C. Social skills support 53%
D. Specialist consulting with regular education teacher 53%
E. Modified curriculum, schedule, testing, grading, homework 51%
F. Special Ed/Regular Ed team teaching 51%
G. Assistive Technology 51%
H. Tutoring 49%
I. Positive behavioral support plans 47%
J. Specialist working in regular education classroom 41%
K. Adapted curriculum and/or materials 39%
L. Functional behavioral assessment 30%
M. Other 16%
N. Helping with medications 11%
O. Health services 11%
P. Physical accommodations 09%
Q. Braille instruction or materials 01%

8. If your child is 14 or older, does the IEP include a statement of needed transition services (i.e. community experiences, on the job training, transition to post-secondary education, training in adult living, employment supports)?
(Percentages based on the respondents who answered this question- 34% of total respondents.)

Yes 30%
No 53%
Don't Know 18%

9. Did the appropriate adult human service agency or agencies attend the meeting?

(Percentages based on the respondents who answered this question-49% of total respondents.)

Yes 18%
No 58%
Don't know 24%

10. Did the school district inform you that you can file a complaint with Massachusetts Department of Education, if the services listed on the IEP are not delivered?

Yes 54%
No 33%
Don't Know 08%
Blank-N/A 04%

11. If you filed a complaint did the Massachusetts Department of Education investigate and give a report of their findings within 60 calendar days after you filed it?
(Percentages based on the respondents who answered this question-27% of total respondents.)

Yes 35%
No 34%
Don't Know 31%

12. Did the Massachusetts Department of Education follow up to make sure that the school complied with the needed corrections?
(Percentages based on the respondents who answered this question-34% of total respondents.)

Yes 28%
No 29%
Don't Know 43%

13. Was the invitation to the IEP meeting, the IEP and the notice of rights provided in your native language?
(Percentages based on the responses of the 16% surveyed indicating English as a second language.)

Yes 76%
No 24%

14. Does the school provide an interpreter for the Team meeting?
(Percentages based on the responses of the 16% surveyed indicating English as a second language.)

Yes 58%
No 42%

15. Are the teachers and service providers able to communicate in your child's primary language?
(Percentages based on the responses of the 16% surveyed indicating English as a second language.)

Yes 75%
No 18%

Don't Know 1%
Blank-N/A 7%

16. Parents Comments (attached)

Due to intentional yes and no responses by some respondents on certain questions and calculations being rounded to the nearest whole number the total of responses to some questions my not equal 100%.

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Follow-Up

OSEP will return the week of February 22, 1999 to conduct the on-site monitoring. OSEP is piloting a new monitoring process, whereby Massachusetts will conduct a self-assessment with a steering committee selected by the Massachusetts Department of Education.

Written comments can be sent to OSEP in Washington prior to the February visit. OSEP encourages those wishing to contribute to send comments before the end of December in order for them to be properly considered for the monitoring. Send comments to:

Dr. Ken Kienas
Office of Special Education Programs
330 "C" Street, SW
Washington, DC 20202

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Federation for Children with Special Needs